

UNITED STATES BANKRUPTCY COURT

FOR THE

**EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

In the Matter of:

PATRICK E MCCANN

Debtor

Chapter 13

Case No. 18-12009-KHK

MOTION TO DISMISS,
NOTICE OF MOTION TO DISMISS
AND
NOTICE OF SCHEDULED HEARING ON THIS MOTION

Thomas P. Gorman, Chapter 13 Trustee, has filed this motion to dismiss your Chapter 13 case. The cause for this motion is as follows:

Pursuant to 11 U.S.C. §1307(c)(6) - Material default by Debtor as is reflected in the attached Trustee's Report of Receipts and Disbursements.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not wish the court to grant the relief sought in the motion, or if you want the court to consider your views on the motion, then on or before five business days prior to the hearing date, you or your attorney must:

File with the court a written response with supporting memorandum as required by Local Bankruptcy Rule 9013-1(H). Unless a written response and supporting memorandum are filed and served by the date specified, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing. If you mail your response to the court for filing, you must mail it early enough so the court will receive it on or before five business days prior to the scheduled hearing. You must mail a copy to the persons listed below.

Notice and Motion to Dismiss

Patrick E McCann, Case #18-12009-KHK

Attend the hearing to be held on July 18, 2019 at 9:30 a.m., in Courtroom III on the 3rd floor, United States Bankruptcy Court, 200 South Washington Street, Alexandria, VA 22314. If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.

A copy of any written response must be mailed to the following persons:

Thomas P. Gorman
300 North Washington Street, Ste.400
Alexandria, VA 22314

Clerk of the Court
United States Bankruptcy Court
200 South Washington Street
Alexandria, VA 22314

If you or your attorney do not take steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

Date: June 17, 2019

/s/ Thomas P. Gorman
Thomas P. Gorman
Chapter 13 Trustee
300 N. Washington Street, #400
Alexandria, VA 22314
(703) 836-2226
VSB 26421

CERTIFICATE OF SERVICE

I hereby certify that I have this 17th day of June, 2019, served via ECF to authorized users or mailed a true copy of the foregoing Motion to Dismiss, Notice of Motion and Notice of Hearing to the following parties.

Patrick E McCann
Chapter 13 Debtor
2226 Gunsmith Sq
Reston, VA 20191

Tommy Andrews, Jr., Esq.
Attorney for Debtor
122 N. Alfred St.
Alexandria, VA 22314

/s/ Thomas P. Gorman
Thomas P. Gorman

CASE NO: 18-12009-KHK

STATUS: ACTIVE

DEBTOR: XXX-XX-3893

MCCANN, PATRICK E

AKA:

SCHEDULE: 1,283.00 MONTHLY

TOTAL PAID: 9,072.00

DATE FILED: 06/07/2018 2226 GUNSMITH SQ

CONFIRMED: RESTON, VA 20191

LATEST 341: 07/10/2018

PERCENTAGE: 100.000

ATTORNEY: TOMMY ANDREWS, JR., ESQ.

PLAN: 60 MONTHS

122 N. ALFRED ST.

ALEXANDRIA, VA 22314

Phone: 703 838-9004 Fax: 703 838-9550

1st PAYMENT DUE: 07/2018

ON SCHEDULE: 12,717.00

ACTUAL PAYMENTS: 9,072.00

AMOUNT BEHIND: 3,645.00

LAST 12 TRANSACTIONS

Date	Source	Amount
03/18/19	CC	2,592.00
12/20/18	PC	1,296.00
11/13/18	PC	1,296.00
10/04/18	PC	1,296.00
08/21/18	PC	1,296.00
07/06/18	PC	1,296.00

PLAN AND FILED CLAIMS

CLAIM NO	CRED NO	CREDITOR NAME CLAIM REMARK	DISB CODE LAST DISB	CLASS PAY%	INT. BEGIN INT. RATE	FIX PAY ARREARS	ORG. CLAIM SCHED AMT	APPROVED TO BE PAID	PRIN. PAID INT. PAID	PRIN. DUE INT. DUE
001	348133	FREEDOM MORTGAGE CORPORATION	FIX	SEC		883.34	54,326.32	54,326.32	0.00	54,326.32
				100.00		9,716.74	54,326.32	54,326.32	0.00	0.00
001A	348133	FREEDOM MORTGAGE CORPORATION ADDED PER CONSENT ORD 2/15/2019	FIX-A	SEC		126.95	6,728.17	6,728.17	0.00	6,728.17
				100.00		507.80	0.00	6,728.17	0.00	0.00
002	259399	RESTON ASSOCIATION Split Claim	PRO	UNS		0.00	0.00	2,039.17	0.00	2,039.17
				100.00		0.00	0.00	2,039.17	0.00	0.00
002	259399	RESTON ASSOCIATION LATE-ALLOWED PER ORD EOD 12/14/20	FIX	SEC		48.78	6,550.68	4,511.51	0.00	4,511.51
				100.00		536.58	4,511.51	4,511.51	0.00	0.00
003	348573	SADDLER OAKS CLUSTER ASSOCIATIOI	FIX	SEC		37.29	2,237.39	2,237.39	0.00	2,237.39
				100.00		410.19	2,237.39	2,237.39	0.00	0.00
003	348573	SADDLER OAKS CLUSTER ASSOCIATIOI	PRO	UNS		0.00	31.50	31.50	0.00	31.50
				100.00		0.00	0.00	31.50	0.00	0.00
004	313486	DISCOVER BANK	PRO	UNS		0.00	0.00	0.00	0.00	Not Filed
				100.00		0.00	7,623.00	0.00	0.00	
005	331343	FIRST FEDERAL CREDIT CONTROL GIANGRECO MD	PRO	UNS		0.00	0.00	0.00	0.00	Not Filed
				100.00		0.00	80.00	0.00	0.00	
006	346350	JENKINS RESTORATION	PRO	UNS		0.00	0.00	0.00	0.00	Not Filed
				100.00		0.00	0.00	0.00	0.00	
007	332103	CAPITAL ONE, NA KOHLS	PRO	UNS		0.00	638.20	638.20	0.00	638.20
				100.00		0.00	638.00	638.20	0.00	0.00
008	316598	ORANGE LAKE COUNTRY CLUB	PRO	UNS		0.00	0.00	0.00	0.00	Not Filed
				100.00		0.00	0.00	0.00	0.00	
009	349232	US DEPARTMENT OF EDUCATION	PRO	UNS		0.00	6,504.51	6,504.51	0.00	6,504.51
				100.00		0.00	5,999.00	6,504.51	0.00	0.00
010	IRS*	INTERNAL REVENUE SERVICE UNLISTED	PRO	PRI		0.00	0.00	0.00	0.00	0.00
				100.00		0.00	0.00	0.00	0.00	0.00
010	IRS*	INTERNAL REVENUE SERVICE	PRO	UNS		0.00	0.00	0.00	0.00	0.00
				100.00		0.00	0.00	0.00	0.00	0.00
011	318622	ASHLEY FUNDING SERVICES, LLC UNLISTED - LAB CORP	PRO-A	UNS		0.00	74.29	74.29	0.00	74.29
				100.00		0.00	0.00	74.29	0.00	0.00
012	346085	VERIZON BY AMERICAN INFOSOURCE L UNLISTED	PRO-A	UNS		0.00	330.74	330.74	0.00	330.74
				100.00		0.00	0.00	330.74	0.00	0.00

** Creditor has not filed a Proof of Claim. Accumulated funds will be released to other creditors if no claim is filed with the U.S. Bankruptcy Court by the date of the scheduled Chapter 13 Review Meeting.

Claims with an A code in the DISB/CODE column are placed on hold and need to be resolved. NO disbursements are being made to the creditor.

This is a progress report only and should not be used to calculate a payoff.

Case Maintenance 10.5

CASE NO: 18-12009-KHK

STATUS: ACTIVE

DEBTOR: XXX-XX-3893

MCCANN, PATRICK E

SCHEDULE: 1,283.00 MONTHLY

PLAN AND FILED CLAIMS

<u>CLAIM NO</u>	<u>CRED NO</u>	<u>CREDITOR NAME</u>	<u>DISB CODE</u>	<u>CLASS</u>	<u>INT. BEGIN</u>	<u>FIX PAY</u>	<u>ORG. CLAIM</u>	<u>APPROVED</u>	<u>PRIN. PAID</u>	<u>PRIN. DUE</u>
		<u>CLAIM REMARK</u>	<u>LAST DISB</u>	<u>PAY%</u>	<u>INT. RATE</u>	<u>ARREARS</u>	<u>SCHED AMT</u>	<u>TO BE PAID</u>	<u>INT. PAID</u>	<u>INT. DUE</u>
799	ANDREW	TOMMY ANDREWS, JR., ESQ.	PRO	ATY		0.00	5,223.00	3,823.00	0.00	3,823.00
				100.00		0.00	5,223.00	3,823.00	0.00	0.00
		Trustee Administrative Fees						629.86	629.86	
					TOTALS:	1,096.36	82,644.80	81,874.66	629.86	81,244.80
						11,171.31	80,638.22	81,874.66	0.00	0.00

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